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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

SINGLE BENCH : HON'BLE SHRI S.R. NAYAK, C.J.

WRIT PETITION NO.5713 OF 2006

PETITIONER	:	Chhattisgarh State Civil Supplies Corporation Limited, Through its Managing Director, Bala Ashram Parisar, Katchery Chowk, Raipur (CG).
	Vs.	
RESPONDENTS	1.	Union of India, Through Secretary, Ministry of Labour, Lok Nayak Bhawan, Khan Market, New Delhi.
	2.	Employees Provident Fund Organization, Ministry of Labour, Government of India, Through its Assistant Provident Fund Commissioner, Regional Office, Scheme No.32, Indira Gandhi Commercial Complex, Pandri, Raipur (CG).
	3.	Assistant Provident Fund Commissioner, Regional Office, Scheme No.32, Indira Gandhi Commercial Complex, Pandri, Raipur (CG).

Present : Shri Prashant Mishra, learned Sr. Advocate with Shri V.R. Tiwari, learned counsel for the petitioner.
Shri Bhishma Kinger, learned counsel for respondent No.1

ORAL ORDER
(Passed on 9th November, 2006)

The initiation of the proceedings by the Assistant Provident Fund Commissioner, the third respondent herein, under Section 7-A of the Employees Provident Fund Miscellaneous Provisions Act, 1952, (for short 'the Act') and the demand notice dated 07.09.2006 directing the petitioner to deposit a sum of Rupees One Thousand under Section 32 of CPC as fine has been assailed in this writ petition. Quashing of the proceedings at this stage would not arise. Although it is the contention of the petitioner that the Act has no application, that question is yet to be decided by the third respondent as envisaged under Section 7-A of the Act. It is stated

that the petitioner has already submitted its statement of objections to the show-cause notice and the third respondent has not considered the objections raised by the petitioner with regard to applicability of the Act. Section 7-A envisages an enquiry. The third respondent is required to conduct an enquiry and appreciate the statement of objections filed by the petitioner and pass appropriate order. In that view of the matter, while dismissing this writ petition I direct the third respondent to expedite the conclusion of the enquiry and pass appropriate order as expeditiously as possible, in any event, within a period of three months from the date of receipt of a copy of this order.

Sd/-
Chief Justice